THE STATE OF NEW HAMPSHIRE
SUPREME COURT

In Case No. 94-789, Patricia Shiel-Friedline v. David Friedline, the court upon February 12, 1996, made the following order:

Defendant's motion for appointment of counsel is denied.

Having considered the briefs and oral arguments of the parties, the court concludes that a formal written opinion is not necessary for the disposition of this appeal. The decision below is affirmed.

Affirmed.

Distribution:

Kevin Landry, Esquire
William C. McCallum, Esquire
Joshua Gordon, Esquire
Clerk, Merrimack County Superior Court 90-M-735
Honorable Kathleen A. McGuire
Theresa H. Hayes, Supreme Court
File

Howard J. Zibel,
Clerk

THE STATE OF NEW HAMPSHIRE

MERRIMACK COUNTY SUPERIOR COURT

PATRICIA SHIEL

v.

DAVID FRIEDLINE

Docket No: 90-M-735

ORDER

After hearing, the Court finds defendant in contempt for failing to timely make child support payments. Current arrearage is $261.00. Defendant is to pay this amount in full to the DHS by 1:00 p.m. on October 7, 1994 or a capias shall issue for his arrest. Defendant is to make payments of $277.00 per month beginning October 15, 1994 and shall continue payments on the fifteenth of each month thereafter. Failure of the defendant to make any future payments will result in a hearing at which he shall show cause why he is not in contempt of court and why he should not be incarcerated forthwith.

Defendant's Motion to Deny Support, etc. is DENIED.

So Ordered.

DATED: October 6, 1994 (signed)

KATHLEEN A. McGUIRE
Presiding Justice

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS. AUGUST TERM, 1994

PATRICIA SHIEL-FRIEDLINE

v.

DAVID FRIEDLINE

90-M-735

REQUEST TO APPOINT LEGAL COUNCIL

NOW COMES the defendant, and respectfully REQUESTS that this Honorable court appoint qualified legal council to represent him at a show cause hearing, scheduled October 6, 1994.

AS GROUNDS for this request, the defendant states as follows:

1. His physical liberty in this hearing is at stake, and he does not have the proper full understanding of the law, or the rules of the Superior Court, to defend himself.
2. He does not have the means to hire legal council.
3. The US Supreme Court in Lassiter v. Department of Social Services of Durham County, North Carolina (425 US 18), has ruled that the distinction between "civil" and "criminal" proceedings is irrelevant in such cases.

WHEREFORE, the defendant respectfully requests:

1. That the court appoint qualified legal council to represent defendant at this hearing.

Respectfully submitted,

(signed)

David Friedline, Pro Se

Clerk of Superior Court
Merrimack County
William S. McGraw, Clerk
M. Kristin Spath, Deputy Clerk
Brigette E. Siff, Deputy Clerk

163 North Main St.
PO Box 2880
Concord, NH 03302
Tel 225-5501

David Friedline
RR1 Box 406a
Old Sutton Rd.
Bradford, NH 03221

NOTICE OF HEARING

Docket Number: 90-M-735
Patricia Shiel V David Friedline

A SHOW CAUSE HEARING ON THE ATTACHED REPORT OF VIOLATION in the above matter is scheduled at the Merrimack County Superior Court on Thursday, October 6, 1994 at 9:00 AM.

You must appear, prepared to show cause why you should not be held in contempt of court and incarcerated. If you fail to appear, a capias will issue for your arrest.

Notice of hearing to be mailed by certified mail, return receipt requested, by the N.H. Division of Human Services.

(signed)
WILLIAM S. McGRAW, CLERK

cc: Patricia Langevin SEO (2 copies)
David E. Friedline
RR1 Box 406A
Old Sutton Road
Bradford, N.H. 03221